



Entered on Docket
January 03, 2008

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

**ORDER SUSTAINING FIRST OMNIBUS OBJECTION OF USACM TRUST
TO PROOFS OF CLAIM BASED UPON INVESTMENT IN THE
OPAQUE/MT. EDGE \$7,350,000 LOAN**

Pending before the Court is the USACM Liquidating Trust's First Omnibus Objection to Proofs of Claim Based Upon Investment in the Opaque/Mt. Edge \$7,350,000 Loan (the "Objection") [DE 5388]. Adequate notice of the Objection was given. No responses were filed to the Objection and no opposition was raised to the Objection at the hearing on December 20, 2007. Good cause appearing,

IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on Exhibit A attached are disallowed in their entirety.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

APPROVED:

OFFICE OF THE U.S. TRUSTEE


August B. Landis, Esq.
Scott A. Farrow, Esq.
300 Las Vegas Boulevard, Suite 4300
Las Vegas, NV 89101

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☒ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☒ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☐ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
John Hinderaker
Attorneys for USACM Liquidating Trust

OPAQUE MT. EDGE \$7,350,000

EXHIBIT A

Claim	Name	Address	Total Claim Amount
10725-00354	John T. Mrasz Ent Inc Defined Benefit Plan Dtd 5/86	c/o John T. and Janet Mrasz TTEES 10015 Barling Street Shadow Hills, CA 91040-1512	\$66,136.58
10725-00655	Edgar Wolf	3868 Carlton Drive Atlanta, GA 30341	\$25,000.00
10725-00730	Louise G. Sherk Md Employee Benefit Plan Trust	c/o Robert Di Bias and Louise Sherk TTEES 3830 Ocean Birch Drive Corona Del Mar, CA 92625-1244	\$33,546.63
10725-01270	Wayne Dotson Co Peter Bogart CEO	3 Hidden Lake Court Bluffton, SC 29910	\$56,000.00
10725-02231	Jocelyn Helzer and Eddie Mayo JTWRDS	115 South Deer Run Road Carson City, NV 89701	\$16,771.13